

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

HEIDI A. CHARLES, individually and
as an Administrator of the Estate of
[REDACTED], deceased,
and [REDACTED], a minor, by
and through HEIDI A. CHARLES, as a
parent and natural guardian of a minor,

Plaintiffs,

vs.

WHEELING & LAKE ERIE
RAILWAY COMPANY, a Delaware
corporation,

Defendant.

CIVIL DIVISION

NO. GD-22- 7056

TYPE OF PLEADING:
**PRAECIPE FOR WRIT OF
SUMMONS IN CIVIL ACTION**

FILED ON BHEALF OF:
**PLAINTIFFS, HEIDI A. CHARLES,
individually and as an Administrator of
the Estate of [REDACTED],
deceased, and [REDACTED], a
minor, by and through HEIDI A.
CHARLES, as a parent and natural
guardian of a minor**

COUNSEL OF RECORD FOR THIS
PARTY:

MARK F. McKENNA, ESQUIRE
PA I.D. No. 30297

McKENNA & ASSOCIATES, P.C.

436 Boulevard of the Allies
Suite 500
Pittsburgh, PA 15219
Phone (412) 471-6226
Fax (412) 471-6658

mfm@mckennaandassociates.com

JURY TRIAL DEMANDED

FILED
2022 JUN 10 PM 3:49
DEPT. OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY

OPSSKRISTOPHER1
10 June 2022
15:55:19
GD-22-007056

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

HEIDI A. CHARLES, individually and
as an Administrator of the Estate of
[REDACTED], deceased,
and [REDACTED], a minor, by
and through HEIDI A. CHARLES, as a
parent and natural guardian of a minor,

CIVIL DIVISION

NO. GD-22- 7056

Plaintiffs,

vs.

WHEELING & LAKE ERIE
RAILWAY COMPANY, a Delaware
corporation,

Defendant.

PRAECIPE FOR WRIT OF SUMMONS

TO: DEPARTMENT OF COURT RECORDS, ALLEGHENY COUNTY

Kindly issue a Writ of Summons in Civil Action against the Defendant,
WHEELING & LAKE ERIE RAILWAY COMPANY, in the above-captioned matter.

McKENNA & ASSOCIATES, P.C.



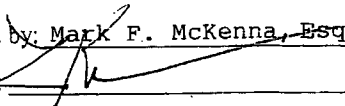
BY:

MARK F. McKENNA, ESQUIRE
*Attorneys for Plaintiffs, HEIDI A. CHARLES,
individually and as an Administrator of the
Estate of [REDACTED], deceased,
and [REDACTED], a minor, by and
through HEIDI A. CHARLES, as a parent and
natural guardian of a minor*

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Mark F. McKenna, Esquire

Signature: 

Name: Mark F. McKenna

Attorney No. (if applicable): 30297

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

ALLEGHENY

County

For Prothonotary Use Only:

Docket No:

GD-22-7056

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☐ Complaint
 ☒ Writ of Summons
 ☐ Petition
 ☐ Declaration of Taking

Lead Plaintiff's Name:

Heidy A. Charles, individually and as Administrator

Lead Defendant's Name:

Wheeling & Lake Erie Railway Company

Are money damages requested? ☒ Yes ☐ NoDollar Amount Requested: ☐ within arbitration limits
(check one) ☒ outside arbitration limitsIs this a Class Action Suit? ☐ Yes ☒ NoIs this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Mark F. McKenna, Esquire

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☒ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional:

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

- ☐ Employment Dispute:
 Discrimination
☐ Employment Dispute: Other

☐ Other:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other

☐ Zoning Board☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

Updated 1/1/2011

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

HEIDI A. CHARLES, individually and
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Plaintiffs,

vs.

WHEELING & LAKE ERIE
RAILWAY COMPANY, a Delaware
corporation,

Defendant.

CIVIL DIVISION

NO. GD-22-007056

TYPE OF PLEADING:
AFFIDAVIT OF SERVICE

FILED ON BHEALF OF:
PLAINTIFFS, HEIDI A. CHARLES,
individually and as an Administrator of
the Estate of [REDACTED],
deceased, and [REDACTED], a
minor, by and through HEIDI A.
CHARLES, as a parent and natural
guardian of a minor

COUNSEL OF RECORD FOR THIS
PARTY:

MARK F. McKENNA, ESQUIRE
PA I.D. No. 30297

McKENNA & ASSOCIATES, P.C.

436 Boulevard of the Allies
Suite 500
Pittsburgh, PA 15219
Phone (412) 471-6226
Fax (412) 471-6658

mfm@mckennaandassociates.com

JURY TRIAL DEMANDED

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

HEIDI A. CHARLES, individually and
as an Administrator of the Estate of
[REDACTED], deceased,
and [REDACTED], a minor, by
and through HEIDI A. CHARLES, as a
parent and natural guardian of a minor,

CIVIL DIVISION

NO. GD-22-007056

Plaintiffs,

vs.

WHEELING & LAKE ERIE
RAILWAY COMPANY, a Delaware
corporation,

Defendant.

AFFIDAVIT OF SERVICE

The undersigned hereby states under the penalties provided by 18 Pa. C.S.A. §4904 (relating to unsworn falsifications to authorities) that on June 13, 2022, the undersigned caused a true and correct copy of the Praeceptum for Writ of Summons (the "Writ") in connection with the above referenced matter, to be mailed by certified mail, return receipt requested, to the following:

Wheeling & Lake Erie Railway Company
100 First Street SE
Brewster, OH 44613

Attached hereto as Exhibit "A" is the receipt showing delivery and acceptance on June 16, 2022.

McKENNA & ASSOCIATES, P.C.

BY: 

MARK F. McKENNA, ESQUIRE
*Attorneys for Plaintiffs, HEIDI A. CHARLES,
individually and as an Administrator of the
Estate of [REDACTED], deceased,
and [REDACTED], a minor, by and
through HEIDI A. CHARLES, as a parent and
natural guardian of a minor*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Affidavit of Service was forward via U.S. mail, postage prepaid, to the following this 26th day of June 2022:

Wheeling & Lake Erie Railway Company
100 First Street SE
Brewster, OH 44613

McKENNA & ASSOCIATES, P.C.

BY: 

MARK F. McKENNA, ESQUIRE
Attorneys for Plaintiffs, HEIDI A. CHARLES, individually and as an Administrator of the Estate of [REDACTED] deceased, and [REDACTED] a minor, by and through HEIDI A. CHARLES, as a parent and natural guardian of a minor

[illegible]

EXHIBIT A

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Mark F. McKenna, Esquire

Signature: 

Name: Mark F. McKenna

Attorney No. (if applicable): 30297

**CONFIDENTIAL
INFORMATION
FORM**



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania

204 Pa. Code § 213.81

www.pacourts.us/public-records

Heidi A. Charles, individually and as an
Administrator of the Estate of [REDACTED]
deceased, and [REDACTED]

GD 22-007056

(Party name as displayed in case caption) minor, by and through Heidi A. Charles, as a parent and natural guardian of a minor

Docket/Case No.

Vs.

Wheeling & Lake Erie Railway
Company

(Party name as displayed in case caption)

Allegheny County Ct. Com. Pl.
Court

This form is associated with the pleading titled Procurpice to Enter Appearance, dated 6/22/22.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
(full name of adult) OR This information pertains to a minor with the initials of <u>J.M.</u> and the full name of [REDACTED] (full name of minor) and date of birth: <u>unknown at this time</u>	Social Security Number (SSN): Financial Account Number (FAN): Driver License Number (DLN): State of Issuance: State Identification Number (SID):	Alternative Reference: SSN 1 Alternative Reference: FAN 1 Alternative Reference: DLN 1 Alternative Reference: SID 1
(full name of adult) OR This information pertains to a minor with the initials of <u>A.G.</u> and the full name of [REDACTED] (full name of minor) and date of birth: <u>unknown at this time</u>	Social Security Number (SSN): Financial Account Number (FAN): Driver License Number (DLN): State of Issuance: State Identification Number (SID):	Alternative Reference: SSN 2 Alternative Reference: FAN 2 Alternative Reference: DLN 2 Alternative Reference: SID 2

**CONFIDENTIAL
INFORMATION
FORM**



Additional page(s) attached. 0 total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Scott D. Clements
Signature of Attorney or Unrepresented Party

6/22/22
Date

Name: SCOTT D. CLEMENTS

Attorney Number: (if applicable) 78929

Address: TWO PPG PLACE, Suite 400
Pittsburgh, PA 15222

Telephone: (412) 281-7272

Email: sclements@dmclaw.com

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

HEIDI A. CHARLES, individually and
as an Administrator of the Estate of J.G.,
deceased, and A.G., a minor, by and
through HEIDI A. CHARLES, as a parent
and natural guardian of a minor,

Plaintiffs,

v.

WHEELING & LAKE ERIE RAILWAY
COMPANY,

Defendant.

CIVIL DIVISION

No. GD 22-007056

Issue No.

PRAECIPE TO ENTER APPEARANCE

Code:

Filed on behalf of Defendant,
**WHEELING & LAKE ERIE RAILWAY
COMPANY**

Counsel of record for this party:

J. Lawson Johnston, Esquire
PA I.D. #19792

Scott D. Clements, Esquire
PA I.D. #78529

DICKIE, McCAMEY & CHILCOTE, P.C.
Firm #067
Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402

(412) 281-7272

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

HEIDI A. CHARLES, individually and
as an Administrator of the Estate of J.G.,
deceased, and A.G. , a minor, by and
through HEIDI A. CHARLES, as a parent
and natural guardian of a minor,

CIVIL DIVISION

No. GD 22-007056

Plaintiffs,

v.

WHEELING & LAKE ERIE RAILWAY
COMPANY,

Defendant.

PRAECIPE TO ENTER APPEARANCE

To: Department of Court Records

Kindly enter the appearance of J. Lawson Johnston and Scott D. Clements, as counsel
for Wheeling & Lake Erie Railway Company, Defendant in the above-captioned matter.

Respectfully submitted,

DICKIE, McCAMEY & CHILCOTE, P.C.

By: /s/Scott D. Clements

J. Lawson Johnston, Esquire
Scott D. Clements, Esquire

Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402
(412) 281-7272

Counsel for Defendant,
Wheeling & Lake Erie Railway Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Praeipie to Enter Appearance** has been served by first-class U.S. Mail and electronic mail this 22nd day of June, 2022, to the following counsel of record:

Mark F. McKenna, Esquire
McKenna & Associates, P.C.
436 Boulevard of the Allies
Suite 500
Pittsburgh, PA 15219

DICKIE, McCAMEY & CHILCOTE, P.C.

By: /s/Scott D. Clements
Scott D. Clements, Esquire

Counsel for Defendant,
Wheeling & Lake Erie Railway Company

**CONFIDENTIAL
INFORMATION
FORM**



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania

204 Pa. Code § 213.81

www.pacourts.us/public-records

Heidi A. Charles, individually and
as an Administrator of the Estate of
[REDACTED], deceased, and
[REDACTED], a minor, by and through
Heidi A. Charles, as a parent and natural
(Party name as displayed in case caption)
guardian of a minor

6D 22-007056
Docket/Case No.

Vs.

Wheeling & Lake Erie Railway Company
(Party name as displayed in case caption)

Allegheny County
Court

This form is associated with the pleading titled Précipe for Rule to
File Complaint, dated June 23, 2022

Pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
(full name of adult)	Social Security Number (SSN):	Alternative Reference: SSN 1
OR	Financial Account Number (FAN):	Alternative Reference: FAN 1
This information pertains to a minor with the initials of <u>J.G.</u> and the full name of <u>[REDACTED]</u>	Driver License Number (DLN):	Alternative Reference: DLN 1
(full name of minor)	State of Issuance:	
and date of birth: <u>unknown</u> <u>at this time</u>	State Identification Number (SID):	Alternative Reference: SID 1
(full name of adult)	Social Security Number (SSN):	Alternative Reference: SSN 2
OR	Financial Account Number (FAN):	Alternative Reference: FAN 2
This information pertains to a minor with the initials of <u>A.G.</u> and the full name of <u>[REDACTED]</u>	Driver License Number (DLN):	Alternative Reference: DLN 2
(full name of minor)	State of Issuance:	
and date of birth: <u>unknown</u> <u>at this time</u>	State Identification Number (SID):	Alternative Reference: SID 2

Rev. 1/2022

THIS FORM IS CONFIDENTIAL

2022 JUN 23 AM 11:08
DEPT OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY PA

FILED

**CONFIDENTIAL
INFORMATION
FORM**



Additional page(s) attached. 0 total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Scott D. Clements

Signature of Attorney or Unrepresented Party

6/23/2022

Date

Name: Scott D. Clements

Attorney Number: (if applicable) 78529

Address: Two PPG Place, Suite 400
Pittsburgh, PA 15222

Telephone: (412) 281-7272

Email: Sclements@dmclaw.com

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

HEIDI A. CHARLES, individually and
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through HEIDI A. CHARLES, as a parent
and natural guardian of a minor,

Plaintiffs,

v.

WHEELING & LAKE ERIE RAILWAY
COMPANY,

Defendant.

CIVIL DIVISION

No. GD 22-007056

Issue No.

**PRAECIPE FOR RULE TO FILE
COMPLAINT**

Code:

Filed on behalf of Defendant,
**WHEELING & LAKE ERIE RAILWAY
COMPANY**

Counsel of record for this party:

J. Lawson Johnston, Esquire
PA I.D. #19792

Scott D. Clements, Esquire
PA I.D. #78529

DICKIE, McCAMEY & CHILCOTE, P.C.
Firm #067
Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402

(412) 281-7272

IURY TRIAL DEMANDED

FILED
2022 JUN 23 AM 11:09
DEPT OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY PA

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

HEIDI A. CHARLES, individually and
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CIVIL DIVISION

No. GD 22-007056

Plaintiffs,

v.

WHEELING & LAKE ERIE RAILWAY
COMPANY,

Defendant.

PRAECIPE FOR RULE TO FILE COMPLAINT


To: Department of Court Records

Please enter a Rule against the Plaintiffs to file a Complaint against the Defendant
within twenty (20) days hereof or suffer the entry of a Judgment of Non Pros.

Respectfully submitted,

DICKIE, McCAMEY & CHILCOTE, P.C.

Date: June 23, 2022

By: 
J. Lawson Johnston, Esquire
Scott D. Clements, Esquire

Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402
(412) 281-7272

Counsel for Defendant,
Wheeling & Lake Erie Railway Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Praecipe for Rule to File Complaint** has been served by first-class U.S. Mail and electronic mail this 23rd day of June, 2022, to the following counsel of record:

Mark F. McKenna, Esquire
McKenna & Associates, P.C.
436 Boulevard of the Allies
Suite 500
Pittsburgh, PA 15219

DICKIE, McCAMEY & CHILCOTE, P.C.

By: 
Scott D. Clements, Esquire

Counsel for Defendant,
Wheeling & Lake Erie Railway Company

CERTIFICATE OF COMPLIANCE

"I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents."

Submitted by: Scott D. Clements

Signature: 

Name: Scott D. Clements

Attorney No. (if applicable): 78529

**CONFIDENTIAL
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Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81

HEIDI A. CHARLES, individually and as an Administrator of the Estate of J. G., deceased
and A. G., a minor, by and through
HEIDI A. CHARLES, as a parent and natural
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(Party name as displayed in case caption)

GD 22-007056

Docket/Case No.

Vs.

WHEELING & LAKE ERIE RAILWAY COMPANY

Allegheny County

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled Affidavit of Service of Rule to File Complaint, dated July 11, 2022.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

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(full name of adult) OR This information pertains to a minor with the initials of <u>A. G.</u> and the full name of <u>[REDACTED]</u> (full name of minor) and date of birth: <u>unknown at this time.</u>	Social Security Number (SSN): Financial Account Number (FAN): Driver License Number (DLN): State of Issuance: State Identification Number (SID):	Alternative Reference: SSN 2 Alternative Reference: FAN 2 Alternative Reference: DLN 2 Alternative Reference: SID 2

**CONFIDENTIAL
INFORMATION
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Additional page(s) attached. 0 total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Scott D. Clements
Signature of Attorney or Unrepresented Party

7-11-2022
Date

Name: Scott D. Clements

Attorney Number: (if applicable) 78529

Address: Two PPG Place, Suite 400

Telephone: (412) 281-7272

Pittsburgh, PA 15222

Email: sclements@dmclaw.com

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IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

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and natural guardian of a minor,

Plaintiffs,

v.

WHEELING & LAKE ERIE RAILWAY
COMPANY,

Defendant.

CIVIL DIVISION

No. GD 22-007056

Issue No.

**AFFIDAVIT OF SERVICE OF RULE TO
FILE COMPLAINT**

Code:

Filed on behalf of Defendant,
**WHEELING & LAKE ERIE RAILWAY
COMPANY**

Counsel of record for this party:

J. Lawson Johnston, Esquire
PA I.D. #19792

Scott D. Clements, Esquire
PA I.D. #78529

DICKIE, McCAMEY & CHILCOTE, P.C.
Firm #067
Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402

(412) 281-7272

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

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deceased, and A. G., a minor, by and
through HEIDI A. CHARLES, as a parent
and natural guardian of a minor,

CIVIL DIVISION

No. GD 22-007056

Plaintiffs,

v.

WHEELING & LAKE ERIE RAILWAY
COMPANY,

Defendant.

AFFIDAVIT OF SERVICE OF RULE TO FILE COMPLAINT

I, Scott D. Clements, Esquire, do hereby provide this Affidavit of Service pursuant to Pa.R.C.P. 76 and Pa.R.C.P. 405 in support of the following facts:

1. I am counsel of record for Defendant, Wheeling & Lake Erie Railway Company, in this action.
2. On July 1, 2022, I sent a letter to counsel for Plaintiffs, Mark F. McKenna, by certified mail, return receipt requested, serving the Rule to File Complaint issued by the Department of Court Records. (True and correct copies of the July 1, 2022 letter and Rule to File Complaint are attached hereto collectively as Exhibit "A").
3. On or about July 7, 2022, I received back from the United States Postal Service the signed green, return receipt card evidencing that the certified mail was delivered to Mr. McKenna's office on July 5, 2022 based on U.S. Postal Service Tracking. (The original signed green, return receipt card and USPS tracking confirmation are attached hereto collectively as Exhibit "B").


4. This Affidavit is being supplied as confirmation of service of the Rule to File Complaint served on counsel for Plaintiffs on July 1, 2022.

5. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities

Respectfully submitted,

DICKIE, McCAMEY & CHILCOTE, P.C.

Dated: 7-11-2022

By: 
J. Lawson Johnston, Esquire
Scott D. Clements, Esquire

Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402
(412) 281-7272

Counsel for Defendant,
Wheeling & Lake Erie Railway Company